EXHIBIT A - FINDINGS
MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT
DRC2015-00129 DEPARTMENT OF PUBLIC WORKS / PICCUTA

Environmental Determination

A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on September 8, 2016 for this project. Mitigation measures are proposed to address air quality, biological resources, hazards/hazardous materials, and water/hydrology, and are included as conditions of approval.

Minor Use Permit/Coastal Development Permit

B. The proposed project or use is consistent with the San Luis Obispo County General Plan and Local Coastal Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan and Local Coastal Plan policies.

C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.

D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the groundwater remediation system at the former Los Osos Landfill will not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.

E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the groundwater remediation system at the former Los Osos Landfill are similar to, and will not conflict with, the surrounding lands and uses.

F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Turri Road, a local road constructed to a level able to handle any additional traffic associated with the project.

Adjustments

G. An adjustment to the riparian habitat setback is justified because alternative locations and routes are infeasible or more environmentally damaging as concluded in the Alternative Analysis completed for the proposed project. Other alternative locations were determined to be technically infeasible and/or would result in similar or greater impacts to ESHA. The well locations were chosen because they are both at the edge of the known limit of refuse, located downgradient from the landfill, and located between the landfill and Warden Creek. This location is necessary to protect the water quality of Warden creek.

H. An adjustment to the riparian habitat setback is justified because adverse environmental effects are mitigated to the maximum extent feasible and the project has been designed to prevent any disruption of habitat and will maintain biological productivity. No trees or riparian vegetation would be removed by the project. Earthwork required for the project is entirely within areas that have been previously disturbed by historic landfill operations. Vegetation to be disturbed includes nonnative annual grassland and coyote brush scrub at the 10 well locations. No wetland, riparian, or other sensitive vegetation community will be disturbed by the project. The project has been designed to utilize existing access roads and disturbed areas to the maximum extent feasible.

I. An adjustment to the riparian habitat setback is justified because the adjustment is necessary to allow the proposed project, which is an incidental utility project for the existing landfill with the purpose of protecting water quality. Redesign of the proposed development would not allow the use with the standard setbacks because the groundwater extraction wells must be located close to the riparian habitat onsite in order to monitor water quality from the landfill, catch effluent that may be leaving the landfill and flowing towards the Warden Creek, and treat the water prior to water entering Warden Creek.

J. An adjustment to the riparian habitat setback is justified because the adjustment is the minimum that would allow for the establishment of the groundwater extraction and treatment project. Without the riparian habitat setback adjustment of 25 feet for the well placements and 45 feet for the proposed treatment facility, it would be infeasible for the County to address RWQCB concerns fully meet the standards of the RWQCB issued Corrective Action Order 95-66.

Sensitive Resource Area

K. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because the proposed project avoids all of sensitive resource areas (Coastal Stream, Wetland, and Riparian Vegetation) with the exception of Terrestrial Habitat; however, it should be noted that the Terrestrial Habitat designation corresponds to the historic occurrence of Baywood fine sands soils at this location. The project site is within a former landfill, and the project is located entirely within areas historically disturbed by landfill activities. Vegetation to be temporarily impacted by the project includes a maximum of 1,000 square feet of nonnative annual grassland and coyote brush scrub (100 square feet at each well location). No wetlands, riparian vegetation, or coastal streams will be directly or indirectly impacteds by the project. Further, the project will have a beneficial impact on groundwater quality as it will treat contaminated groundwater that is under the landfill property.

L. Natural features and topography have been considered in the design and siting of all proposed physical improvements because the proposed groundwater extraction wells are located in the only area where contaminated groundwater can be pumped effectively. They are located in areas that were previously disturbed by landfill-related grading and disturbance, in proximity to existing monitoring wells, and are in locations that can be accessed by existing roads onsite. A relatively flat site adjacent to the existing flare station on an existing paved drive/parking area was selected for the treatment facility because it would require minimal grading, is outside of the riparian

corridor, is accessible from the existing paved roads and driveway, and limits disturbance related to utility extensions.

M. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because no trees or riparian vegetation would be removed by the project. Earthwork required for the project is entirely within areas that have been previously disturbed by historic landfill operations. Vegetation to be disturbed includes nonnative annual grassland and coyote brush scrub at the 10 well locations. No wetland, riparian, or other sensitive vegetation community will be disturbed by the project.

N. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff, because the project includes minimal excavation. Extraction wells would be "excavated", but cuttings and other waste materials will be stored onsite in temporary containment basins. Because it is a landfill, onsite drainage patterns have been heavily manipulated. Currently storm water from the site drains into a series of detention basins on the outer edges of the site and is allowed to percolate and evaporate. The new extraction wells will be located within an area that drains directly to the existing storm water basin. The new treatment facility is approximately 380 square feet and on the existing paved surface. The entire project will be subject to the landfills existing Storm water Pollution Prevention Plan (SWPPP) which requires all disturbed areas to be stabilized.

Environmentally Sensitive Habitat Area

O. There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat because the ESHA designations within and/or adjacent to the project site correspond to the historic occurrence of native riparian vegetation and Baywood fine sand soils that may have been present prior to the commencement of landfill activities in 1958. The proposed project is located entirely within areas historically disturbed by landfill activities, which included the addition of an impermeable "clay cap" in the 1990's. The area includes nonnative annual grassland and relatively immature coyote brush scrub which is actively managed by the County as part of their landfill maintenance obligations. The project would result in a maximum of 2,000 square feet of disturbance (wells, treatment facility, and supply lines). No trees or riparian vegetation would be removed by the project. Earthwork required for the project is entirely within areas that have been previously disturbed by historic landfill operations. Vegetation to be disturbed includes nonnative annual grassland and coyote brush scrub at the 10 well locations. To minimize disturbance, the new treatment facility has been conditioned to be located directly in front of (north) the existing flare station, on an existing paved drive/parking area to avoid disturbing vegetation. The project is proposed to treat potentially contaminated groundwater, and therefore will result in a beneficial impact to groundwater and ultimately to riparian resources as well.

P. The proposed use will not significantly disrupt the habitat because the project has been designed to utilize existing access roads and disturbed areas to the maximum extent feasible. No wetland, riparian, or other sensitive vegetation community will be disturbed by the project.